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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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MARC E. HANKIN, ESQ. 11414 THURSTON CIRCLE LOS ANGELES, CA 90049			EXAMINER YOO, REGINA M	
			ART UNIT 1797	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/767,303	Applicant(s) ROSENTHAL, JOSHUA	
	Examiner Regina Yoo	Art Unit 1797	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
 4a) Of the above claim(s) 16-42 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

FINAL ACTION

Election/Restrictions

1. Applicant's election without traverse of Specie I, claims 1-15 in the reply filed on February 28, 2007 is acknowledged.
2. Claims 16-42 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected specie, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 2/28/2007.
3. This application contains claims 16-42 drawn to an invention nonelected without traverse in the reply filed on 2/28/2007. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
5. Claims 1, 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burruss (4141369) in view of Gunn (20020074006) and Gerth (4735217).

Burruss ('369) discloses a device (see Figure 6) for vaporizing volatile constituents of various substances comprising
 - a) an outer vessel (1) having an inner surface, an outer surface, an open proximal end and closed distal end; said distal end having a heating area (see

Figures 1-2 and 6) comprised of a material which can withstand heat required to vaporize said volatile constituents (Burruss discloses such material as indicated in (see entire document, in particular) Col. 3, lines 10-20 and/or Col. 5, lines 11-12);

b) an inner vessel (14+16) having an inner surface, an outer surface and open distal and proximal ends and being insertable into said outer vessel (1 through 9) (see Figure 6) so as to leave a space between adjacent walls of said vessels (Col. 3, lines 58-59 wherein fitting within and concentric can leave a space between 14 and 9);

c) a partition member (21) within said inner vessel (14+16) separating the inner vessel into two chambers (see Figure 4), a distal vaporization chamber (14) and a proximal drawing chamber (16), said partition allowing air to flow therethrough when a suction is created by drawing air out of the proximal end of the inner vessel (Col. 4, lines 36-44) and further substantially preventing particulate matter in the vaporization chamber from entering the drawing chamber (Col. 3, lines 53-55); and

e) one or more air intake vents (12) located away from said heating area for admitting atmospheric air to enter the space between said vessels (Col. 3, lines 31-40).

Burruss ('369) fails to specifically teach:

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d) a fastener located away from said heating area to keep said vessels in place when assembled; and that

e) air enters the air intake vent upon drawing air out of the proximal end of said inner vessel.

As to the limitation in (d) and in Claim 3, it was well known in the art at the time of invention to secure one vessel in another vessel through a fastener in the form of a grommet.

Gunn ('006) exemplifies a fastener in the form of a grommet (26; 16) that secures an inner vessel (14; 18/19) in the outer vessel (12; 14).

It would have been obvious to one of ordinary skill in this art at the time of invention to provide the fastener to the device of Burruss in order to ensure that both vessels remain together in a correct orientation as well as to provide a sealing function as shown by Gunn.

As to the limitation in (e) that air enters an intake vent when suction occurs, Gerth ('217) discloses that when a user "sucks air through the mouthpiece end of the device...air is drawn in through [air inlet] orifice" in order to provide air supply to sweep up the vaporized component and to deliver it to the user (Col. 6, lines 6-6-9).

It was notoriously well known in the art that when user provides suction, external air enters a vent into the device. It would have been obvious to one of ordinary skill in

this art at the time of invention to provide an inlet air vent in order to supply a flow of air to deliver vaporized volatile components as shown by Gerth.

Thus, Claims 1, 3 and 4 would have been obvious within the meaning of 35 U.S.C. 103(a) over the combined teachings of Burruss ('369), Gunn ('006) and Gerth ('217).

6. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burruss (4141369) in view Gunn (20020074006) and Gerth (4735217) as set forth above and further in view of Couch (20020069886) or Gershbein (4243058).

Burruss ('369), Gunn ('006) and Gerth ('217) are relied upon for disclosure described in the rejection of claim 1 under 35 U.S.C. 103(a).

Neither Burruss ('369), Gun ('006) nor Gerth ('217) teach that the device for vaporizing volatile constituents further comprises an outer wrap of heat resistant material such that said wrap snugly substantially covers said outer surface of said outer vessel, leaving said air intake vents and said heating area uncovered.

Couch ('886) discloses that the device (12) for vaporizing volatile constituents further comprises an outer wrap (56) such that said wrap (56) snugly substantially covers an outer surface of an outer vessel (38) in order to "protect the fingers of the user from being burned" (page 2, paragraph [0019]),

Gershbein ('058) also discloses that the device (10, 12) for vaporizing volatile constituents further comprises an outer wrap (32) such that said wrap (32) snugly

substantially covers an outer surface (20) of an outer vessel (30) in order to protect the smoker's finger (Col. 4, lines 13-23).

It would have been obvious to one of ordinary skill in this art at the time of invention to also provide a heat resistant outer wrap in the vaporization device of Burruss in order to protect the user's skin/finger which may come in contact with the outer vessel of the vaporization device as shown by Couch or Gershbein.

Thus, Claim 2 would have been obvious within the meaning of 35 U.S.C. 103(a) over the combined teachings of Burruss ('369), Gunn ('006), Gerth ('217) and Couch ('886) or Gershbein ('058).

7. Claims 5-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burruss (4141369) in view Gunn (20020074006) and Gerth (4735217) as set forth above and further in view of Reed (20020162969).

Burruss ('369), Gunn ('006) and Gerth ('217) are relied upon for disclosure described in the rejection of claim 1 under 35 U.S.C. 103(a).

As to Claim 5, Burruss ('369) teaches that the inner vessel (14, 16) is substantially long straight tube (see Figures 4 and 6). Gunn ('006) also teaches that the inner vessel (14) is substantially long straight tube (see Figures 1-5).

While Burruss ('369) discloses that the outer vessel (1) is a cylindrical container with base (3) and Gunn ('006) also discloses that the outer vessel (12) is a cylindrical container with a base (20), neither Burruss ('369), Gunn ('006) nor Gerth ('217) teach

that the outer vessel of the device for vaporizing volatile constituents possesses a domed bottom/end to be substantially a standard test tube shape.

Reed ('969) discloses that the outer vessel (26) of a device that is further comprised of inner vessel (36) is substantially a standard test tube shape (see Figure 1; page 3, paragraph [0033]).

It would have been obvious to one of ordinary skill in this art at the time of invention to provide a standard test tube shaped outer vessel (1 or 12) in the device of Burruss so as to provide an alternative shape/configuration for the outer vessel since one shape of outer vessel does not appear to provide a specific advantage over another shape as shown by Reed.

As to Claim 6, while Burruss ('369) does not specifically teach that both inner and outer vessels are made of high temperature glass, Burruss ('369) discloses that at least the outer vessel (1) is made of "material of suitable low thermal conductivity and high temperature capability" (Col. 3, lines 10-13) and given that the inner vessel (14 and 16) is in contact with volatilizing material or its container, it would have been obvious to one of ordinary skill in this art at the time of invention to provide high temperature glass as a material of choice for the outer and the inner vessels in order to provide longevity to the device by preventing thermal degradation of the material used to form the device due to heat experienced each time the device is used as well as to provide protection for the user who may come in contact with surfaces of the device during use.

As to Claim 7, Burruss ('369) fails to teach that there is a fastener in the form of a grommet which snugly encircles the outer surface of the inner vessel or extension thereof and which fits snugly into said open proximal end of said outer vessel when said inner vessel is sufficiently inserted into said outer vessel.

Gunn ('006) discloses a fastener in the form of a grommet (26 or 16) that snugly encircles the outer surface of the inner vessel (14 or 18/19) or extension thereof and which fits snugly into said open proximal end of said outer vessel (12 or 14) when said inner vessel (14 or 18/19) is sufficiently inserted into said outer vessel (12 or 14) (see Figures 2-3) in order to provide a means to secure two different, concentric parts together and to provide a sealing functionality to prevent vapor/air from escaping from the inner cavities as shown by Gunn ('006).

It would have been obvious to one of ordinary skill in this art at the time of invention to provide a fastener/grommet in the device of Burruss in order to ensure that both vessels remain together in a correct orientation as well as to provide a sealing function as shown by Gunn.

As to Claim 8, Burruss ('369) discloses that the air intake vent (12) is a through-hole going from the outer surface of the outer vessel (1) to the inner surface of the outer vessel (1) (see Figures 2 and 6).

Gerth ('217) also discloses that the air intake vent (30) is a through-hole going from the outer surface of the outer vessel (15) to the inner surface of the outer vessel (15) (see Figures 4 and 5).

As to Claim 9, while Burruss ('369) does not specifically teach that both inner and outer vessels are made of high temperature glass, Burruss ('369) does disclose that at least the outer vessel (1) is made of "material of suitable low thermal conductivity and high temperature capability" (Col. 3, lines 10-13) and given that the inner vessel (14 and 16) is in contact with volatilizing material or its container, it would have been obvious to one of ordinary skill in this art at the time of invention to provide high temperature glass as a material of choice for the outer and the inner vessels in order to provide longevity to the device by preventing thermal degradation of the material used to form the device due to heat experienced each time the device is used as well as to provide protection to the user who may come in contact with the surfaces of the device during use.

Thus, Claims 5-9 would have been obvious within the meaning of 35 U.S.C. 103(a) over the combined teachings of Burruss ('369), Gunn ('006), Gerth ('217) and Reed ('969).

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burruss (4141369) in view Gunn (20020074006) and Gerth (4735217) and further in view of Reed (20020162969) as set forth above and further in view of Takagi (5402803).

Burruss ('369), Gunn ('006), Gerth ('217) and Reed ('969) are relied upon for disclosure described in the rejection of claim 5 under 35 U.S.C. 103(a).

Burruss ('369) discloses that the outer vessel (1) is made of "material of suitable low thermal conductivity and high temperature capability" (Col. 3, lines 10-13).

Burruss ('369) does not specifically teach that both inner and outer vessels are made of high temperature glass.

Takagi ('803) discloses that heat-resistant glass is used for all of the housing assembly/outer vessel (Col. 11, lines 13-14) in order to withstand the heat generated within the vessel and to provide the ability to utilize the illumination provided by the light of the heating source within the vessel (Col. 11, lines 14-15).

It would have been obvious to one of ordinary skill in this art at the time of invention to provide the heat resistant glass as the material for the outer vessel in the device of Burruss in order to provide heat resistant capability to the outer vessel as shown by Takagi and it would also have been obvious to provide the same material for the inner vessel (which includes the mouthpiece) in order to further protect the user from touching hot surface of the inner vessel and in order to provide longevity to the device by preventing thermal degradation of the material used to form the device due to heat experienced each time the device is used.

Thus, Claim 6 would have been obvious within the meaning of 35 U.S.C. 103(a) over the combined teachings of Burruss ('369), Gunn ('006), Gerth ('217), Reed ('969) and Takagi ('803).

9. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burruss (4141369) in view Gunn (20020074006) and Gerth (4735217) and further in view of Reed (20020162969) as set forth above and further in view of Takagi (5402803).

Burruss ('369), Gunn ('006), Gerth ('217) and Reed ('969) are relied upon for disclosure described in the rejection of claim 8 under 35 U.S.C. 103(a).

Burruss ('369) discloses that the outer vessel (1) is made of "material of suitable low thermal conductivity and high temperature capability" (Col. 3, lines 10-13).

Burruss ('369) does not specifically teach that both inner and outer vessels are made of high temperature glass.

Takagi ('803) discloses that heat-resistant glass is used for all of the housing assembly/outer vessel (Col. 11, lines 13-14) in order to withstand the heat generated within the vessel and to provide the ability to utilize the illumination provided by the light of the heating source within the vessel (Col. 11, lines 14-15).

It would have been obvious to one of ordinary skill in this art at the time of invention to provide the heat resistant glass as the material for the outer vessel in the device of Burruss in order to provide heat resistant capability to the outer vessel as shown by Takagi and it would also have been obvious to provide the same material for the inner vessel (which includes the mouthpiece) in order to further protect the user from touching hot surface of the inner vessel and in order to provide longevity to the device by preventing thermal degradation of the material used to form the device due to heat experienced each time the device is used.

Thus, Claim 9 would have been obvious within the meaning of 35 U.S.C. 103(a) over the combined teachings of Burruss ('369), Gunn ('006), Gerth ('217), Reed ('969) and Takagi ('803).

10. Claims 10-13 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burruss (4141369) in view Gunn (20020074006) and Gerth (4735217) and further in view of Reed (20020162969) as set forth above and further in view of Banerjee (5042509).

Burruss ('369), Gunn ('006), Gerth ('217) and Reed ('969) are relied upon for disclosure described in the rejection of claim 5 under 35 U.S.C. 103(a).

As to Claim 10, none of Burruss ('369), Gunn ('006), Gerth ('217) or Reed ('969) teach that the most distal portion of said inner vessel has opposing sides crimped towards one another making the opening at the distal end of the inner vessel substantially figure 8 shaped.

Banerjee ('509) also discloses that a rear portion of an inner vessel (90) is crimped into a various shapes (Col. 9, lines 59-68; see Figure 8B), including figure 8 shape (Col. 9, lines 67-68 where crimping a simple tubular capsule to produce a crimped mouth end would result in a figure 8 shape) in order to form a wall to contain the smoke/vaporizing material but allow "passage of gases, tobacco flavors, and/or the aerosol forming material into aerosol delivery passage" (Col. 9, lines 19-23).

It would have been obvious to one of ordinary skill in this art at the time of invention to provide a figure 8 shaped end for the distal end of the inner vessel in the

device of Burruss in order to provide containment means to hold the smoking/vaporizing material as shown by Banerjee.

As to Claim 11, Burruss ('369) fails to teach that there is a fastener in the form of a grommet which snugly encircles the outer surface of the inner vessel or extension thereof and which fits snugly into said open proximal end of said outer vessel when said inner vessel is sufficiently inserted into said outer vessel.

Gunn ('006) discloses a fastener in the form of a grommet (26 or 16) that snugly encircles the outer surface of the inner vessel (14 or 18/19) or extension thereof and which fits snugly into said open proximal end of said outer vessel (12 or 14) when said inner vessel (14 or 18/19) is sufficiently inserted into said outer vessel (12 or 14) (see Figures 2-3) in order to provide a means to secure two different, concentric parts together and to provide a sealing functionality to prevent vapor/air from escaping from the inner cavities as shown by Gunn ('006).

It would have been obvious to one of ordinary skill in this art at the time of invention to provide a fastener/grommet in the device of Burruss in order to ensure that both vessels remain together in a correct orientation as well as to provide a sealing function as shown by Gunn.

As to Claim 12, Burruss ('369) discloses that the air intake vent (12) is a through-hole going from the outer surface of the outer vessel (1) to the inner surface of the outer vessel (1) (see Figures 2 and 6).

Gerth ('217) also discloses that the air intake vent (30) is a through-hole going from the outer surface of the outer vessel (15) to the inner surface of the outer vessel (15) (see Figures 4 and 5).

As to Claim 13, while Burruss ('369) does not specifically teach that both inner and outer vessels are made of high temperature glass, Burruss ('369) does disclose that at least the outer vessel (1) is made of "material of suitable low thermal conductivity and high temperature capability" (Col. 3, lines 10-13) and given that the inner vessel (14 and 16) is in contact with volatilizing material or its container, it would have been obvious to one of ordinary skill in this art at the time of invention to provide high temperature glass as a material of choice for the outer and the inner vessels in order to provide longevity to the device by preventing thermal degradation of the material used to form the device due to heat experienced each time the device is used.

As to Claim 15, Burruss ('369) discloses that the device (see Figure 6) for vaporizing volatile constituents of various substances further comprises a mouthpiece (16-25, 29).

Gerth ('217) also that the device (see Figures 1-5) for vaporizing volatile constituents of various substances further comprises a mouthpiece (25).

Thus, Claims 10-13 and 15 would have been obvious within the meaning of 35 U.S.C. 103(a) over the combined teachings of Burruss ('369), Gunn ('006), Gerth ('217), Reed ('969) and Banerjee ('509).

11. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burruss (4141369) in view Gunn (20020074006), Gerth (4735217) and Reed (20020162969) and further in view of Banerjee (5042509) as set forth above and further in view of Takagi (5402803).

Burruss ('369), Gunn ('006), Gerth ('217), Reed ('969) and Banerjee ('509) are relied upon for disclosure described in the rejection of claim 12 under 35 U.S.C. 103(a).

Burruss ('369) discloses that the outer vessel (1) is made of "material of suitable low thermal conductivity and high temperature capability" (Col. 3, lines 10-13).

Burruss ('369) Gunn ('006), Gerth ('217), Reed ('969) or Banerjee ('509) do not specifically teach that both inner and outer vessels are made of high temperature glass.

Takagi ('803) discloses that heat-resistant glass is used for all of the housing assembly/outer vessel (Col. 11, lines 13-14) in order to withstand the heat generated within the vessel and to provide the ability to utilize the illumination provided by the light of the heating source within the vessel (Col. 11, lines 14-15).

It would have been obvious to one of ordinary skill in this art at the time of invention to provide the heat resistant glass as the material for the outer vessel in the device of Burruss in order to provide heat resistant capability to the outer vessel as shown by Takagi and it would also have been obvious to provide the same material for

the inner vessel (which includes the mouthpiece) in order to further protect the user from touching hot surface of the inner vessel and in order to provide longevity to the device by preventing thermal degradation of the material used to form the device due to heat experienced each time the device is used.

Thus, Claim 13 would have been obvious within the meaning of 35 U.S.C. 103(a) over the combined teachings of Burruss ('369), Gunn ('006), Gerth ('217), Reed ('969), Banerjee ('509) and Takagi ('803).

12. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burruss (4141369) in view Gunn (20020074006), Gerth (4735217) and Reed (20020162969) and further in view of Banerjee (5042509) as set forth above and further in view of Couch (20020069886) or Gershbein (4243058).

Burruss ('369), Gunn ('006), Gerth ('217), Reed ('969) and Banerjee ('509) are relied upon for disclosure described in the rejection of claim 12 under 35 U.S.C. 103(a).

Neither Burruss ('369), Gun ('006), Gerth ('217), Reed ('969) nor Banerjee ('509) teach that the device for vaporizing volatile constituents further comprises an outer wrap of heat resistant material such that said wrap snugly substantially covers said outer surface of said outer vessel, leaving said air intake vents and said heating area uncovered.

Couch ('886) discloses that the device (12) for vaporizing volatile constituents further comprises an outer wrap (56) such that said wrap (56) snugly substantially

covers an outer surface of an outer vessel (38) in order to “protect the fingers of the user from being burned” (page 2, paragraph [0019]),

Gershbein ('058) also discloses that the device (10, 12) for vaporizing volatile constituents further comprises an outer wrap (32) such that said wrap (32) snugly substantially covers an outer surface (20) of an outer vessel (30) in order to protect the smoker's finger (Col. 4, lines 13-23).

It would have been obvious to one of ordinary skill in this art at the time of invention to also provide a heat resistant outer wrap in the vaporization device of Burruss in order to protect the user's skin/finger which may come in contact with the outer vessel of the vaporization device as shown by Couch or Gershbein.

Thus, Claim 14 would have been obvious within the meaning of 35 U.S.C. 103(a) over the combined teachings of Burruss ('369), Gunn ('006), Gerth ('217), Reed ('969), Banerjee ('509) and Couch ('886) or Gershbein ('058).

Response to Arguments

13. Applicant's arguments filed 9/04/2007 have been fully considered but they are not persuasive.

Specifically, Applicant's argument that “both the heating area and the vents of Burruss are located on the distal end of the outer vessel” and as such “Burruss fails to disclose, teach, or suggest...[that the] air intake vents [are] located away from the heating area as recited in independent claim 1” is not found persuasive since the heating area of Burruss is at the heating element 5 and the chamber 7 wherein the air

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therein in chamber 7 is heated by the heating element 5 (see Figure 2 and Col. 4 lines 29-34) and is located about the mid-section of the outer vessel (see Figure 2). Thus, the air intake vents of Burruss (12), located at a distal end of the outer vessel, are located away from the heating area that is located at the heating element 5 and chamber 7 (see Figure 2).

Conclusion

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Regina Yoo whose telephone number is 571-272-6690. The examiner can normally be reached on Monday-Friday, 9:30 am - 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gladys Corcoran can be reached on 571-272-1214. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RY



GLADYS JP CORCORAN
SUPERVISORY PATENT EXAMINER